

CALL TO ORDER

Mayor Dziubek opened the meeting at 7:45 p.m.

“Sunshine Law” Announcement: Adequate notice of this public meeting has been provided by the Annual Notice; faxed to the Hunterdon Democrat and Courier News; posted on the public bulletin board and on file in the Municipal Clerk’s Office.

FLAG SALUTE

ROLL CALL - Present: Rob Haynes, Matt Severino, William Bischoff, Patricia Dziubek, Frank Mazza.

Absent: None

Others Present: J. Peter Jost, Esq., Environmental Consultant and Ella M. Ruta, Township Clerk.

APPROVAL OF MINUTES

- a. Regular and Executive Session Meeting Minutes of December 17, 2008.

Mr. Bischoff had a comment regarding Executive and Regular Session Minutes. He stated that he did not report on the High Bridge/Catanzareti matter. After verification with the recording the minutes should reflect on page #7 that along with High Bridge /Catanzareti matter, Mr. Bischoff also mentioned Union Township Milligan Farm.

Mr. Bischoff made a motion to approve the said minutes with the correction as noted. Mr. Severino seconded the motion. Vote – Ayes: Mr. Haynes, Mr. Severino, Mr. Bischoff, Mrs. Dziubek, Mr. Mazza. Motion carried.

Executive Session Meeting Minutes will be corrected in a Closed Session of the meeting.

VISITORS

Mrs. Dziubek stated there were representatives from engineering firms invited to the meeting who will do professional services presentations for the committee and present members of the Planning Board. List of engineering firms: Van Cleef Engineering Associates, Finelli Consulting Engineers, Inc., Christian Kastrud from DPK Consulting, Hatch Mott MacDonald, David A. Stires Associates, LLC, and French & Parrello Associates.

Mr. Haynes asked if Maser Consulting was invited to do their presentation. Mrs. Dziubek said that they would also be considered, but because the firm had previously worked for the Township, she did not see a particular reason to review their services.

French & Parrello – copies of presentation/qualifications and company background and resumes. Related experience with Highlands.

Hatch, Mott MacDonald – copies of presentation, overview of the company. References and fee schedule hand out. Peter Turek presented his credentials and work history. Experience with Highlands and COAH.

Christian Kastrud, DPK Consulting – Overview of services including 7 years as Warren Twp engineer. Warren Twp is not in the Highlands so he has no experience reviewing plans but can interpret rules and regulations.

Bob Clerico, Van Cleef Engineering – Peter McKay and Bob Clerico presented. Full services engineering services. Peter McKay stated his background and experience. Stressed their availability to their clients. Highlands work not extensive in Glen Gardner. Have done waste water management projects. If there are conflicts the engineer will recuse himself.

David Stires & Associates – Located in Bridgewater, NJ. Staff of six with full service engineering and survey departments. Majority of their work is in the private sector. The firm is currently the consulting engineer for the Watchung Township Board of Adjustment.

Mike Finelli Consulting Engineers – Kevin Smith presented. Small to medium size firm with staff of 16. Work experience 70-80% municipal, 20-30% private. Municipal engineer and planning board engineer experience. Kevin Smith would be Union Twp Engineer because Mike Finelli has schedule conflict. Has experience with Highlands work. Mike Finelli continued the presentation covering waste water management and the relationship between the Highlands and COAH. All towns represented except one are in the Highlands so they are current. They have a successful history with farmland preservation and grants.

After all presentations, the Committee briefly discussed criteria for hiring a Twp. Engineer, such as location, small versus large firm, charges etc.

The Committee agreed to invite Maser Consulting to the next Committee meeting on January 21st and a decision on an Engineer appointment will be made at that meeting. The Clerk will contact Rick Roseberry from Maser Consulting.

At 9:30 p.m., Mayor Dziubek asked to take a short recess.

At 9:35 p.m., the Committee was back in session.

REPORTS RECEIVED

- a. Road Dept.- Week Ending 12/12/08; 12/21/08; 12/27/08
- b. Tax Collector – December 2008
- c. Environmental Commission
 - 01/13/09 Agenda

The committee complimented Michelle McBride on the environmental newsletter.

CORRESPONDENCE

Mr. Haynes mentioned the following: No comments

Mr. Mazza mentioned the following:

- Highlands Information Session is scheduled for January 13th and January 22nd at the Chester Highlands Council Office. Mr. Mazza suggested that a Twp. Professional should attend. Mr. Mazza was directed to contact Mr. Hintz.
- Training Session is scheduled for February 28th for New Jersey Community Forestry Program. Clerk was asked to give a copy to UTEC.

Mr. Severino mentioned the following:

- Letters from Bethlehem Twp. and Assemblyman Doherty supporting our request for corrective action regarding Interstate 78-Exit 11 Exchange. Issue briefly discussed.
- Potential funds for the sign-on to the Highlands up to \$100,000 grant for professional services. Mr. Bischoff read a letter dated 1/2/09 for 1/23 session concerning the grant program. It was suggested that Mr. Hintz review the letter and report to the committee.

Mr. Bischoff mentioned the following:

- Economic Recovery Program for 2009 Call for Projects. Economic stimulus which involves water supply, infrastructure, parks. Mr. Mazza will check it out.
- A letter from Michael C. Turner of Government Process Solutions LLC concerning Municipal Revenue Restoration Act. The letter will be given to Grace Brennan for her review and comment in writing to the committee.
- Twp. of Raritan Resolution #08-2257– To Abolish the Council on Affordable Housing (COAH).

Mrs. Dziubek mentioned the following:

- Application of COAH Scarce Resources Restraint to Highlands Municipalities. Mr. Haynes was asked to check into the matter.
- Correspondence from the Highlands Council regarding Highlands Consistency Determination on Proposed Amendment to the Upper Raritan Water Quality Management Plan, Union Twp. Wastewater Management Plan, Pilot Travel Center in Union Twp., Hunterdon Cty. (NJDEP Activity #AMD07002). No action required.
- The Combe South lawsuit has been settled; related costs have been paid by the Twp's insurance company.

PUBLIC COMMENTS

Michelle McBride of the Environmental Committee invited the public and committee to see what has been done at the Hoffman property. The Stewardship Committee will be asking for funds this year for either repairs or for demolition of some properties that are in danger of collapse.

PUBLIC HEARING – 2nd reading - None
OLD BUSINESS

- a. The following resolution was introduced for adoption:

RESOLUTION #2009-20 UNION TOWNSHIP; HUNTERDON COUNTY

2008-2009 PLENARY RETAIL CONSUMPTION LICENSE; with Conditions PATTENBERG ENTERTAINMENT t/a Pattenburg House

BE IT RESOLVED, by the Township Committee of the township of Union, County of Hunterdon, State of New Jersey, that the following Plenary Retail Consumption License be issued in the Township of Union effective July 1, 2008; and

BE IT FURTHER RESOLVED that the Municipal Clerk, or her duly authorized agent, is hereby authorized to execute, issue and deliver such license to the following licensee with the Special Conditions noted below:

NAME & TRADE NAME:	Pattenberg Entertainment t/a Pattenburg House
LOCATION & ADDRESS:	512 Pattenburg Rd. Asbury, NJ 08802
LICENSE NUMBER:	1025-33-004-007

MINUTES OF REGULAR MEETING January 7, 2009

- Special Conditions:
1. All doors and windows, in the building, must be closed while music, live or recorded, is being played.
 2. Live music shall not be played within the confines of the building at any other time than Friday, Saturday or Sunday.
 3. The petitioner shall provide a security person on all dates and at all times that live music is being played at the licensed premises.
 4. The patio and deck adjacent to the Pattenburg House may be utilized for lunches and dinners with the deck and patio to be closed and all patrons removed therefrom by 10:00 p.m. every evening. All food orders and service shall terminate by 9:00 p.m. each evening.
 5. The Pattenburg House is limited to 92 seats (persons to be served) and such patron count shall not be increased in the utilization of the patio and deck and the total seating capacity for service of patrons shall be 92 seats, including the patio, deck and restaurant/bar areas of the Pattenburg House.
 6. The only egress onto the patio and deck area after 10:00 p.m. shall be for "emergency exit" purposes only, and the outside gate to the deck shall be locked after 10:00 p.m. so that no entrance can be gained to the patio and deck area.
 7. The door to the deck and patio area from inside the Pattenburg House shall be clearly marked as an emergency door.
 8. The front door of the Pattenburg House shall not be propped or maintained in an open condition at any time that entertainment is performing.
 9. The parking lot will be striped.

BE IT RESOLVED, that a copy of this resolution, certified to be a true copy by the Municipal Clerk, be forwarded to the Division of Alcoholic Beverage Control.

Mr. Haynes recused himself from voting on the above resolution.

Mr. Bischoff made a motion to adopt the above resolution. Mr. Mazza seconded. Vote – Ayes: Mr. Severino, Mr. Bischoff, Mrs. Dziubek, Mr. Mazza, Mr. Haynes recused. Motion Carried.

NEW BUSINESS

- b. The following resolution was introduced for adoption:

RESOLUTION 2009-21**PUBLIC ALLIANCE INSURANCE COVERAGE FUND
RESOLUTION FOR RENEWAL OF MEMBERSHIP**

WHEREAS, the **Township Of Union**, hereafter referred to as "**Public Entity**" is a member of the Public Alliance Insurance Coverage Fund, hereinafter referred to as "**Fund**"; and

WHEREAS, said renewal membership terminates as of January 1, 2010 at 12:01 a.m. standard time, unless earlier renewed by agreement between the **Public Entity** and the **Fund**; and

WHEREAS, the **Public Entity** is afforded the following types of coverages (as indicated by an "x"):

- Workers' Compensation
- Package (property, boiler & machinery, crime, auto & general liability, including Police Professional)
- Public Officials Liability
- Excess Liability
 - Auto & General Liability (including Police Professional)
 - Public Officials Liability
- Environmental Impairment Liability

WHEREAS, the **Public Entity** desires to renew said membership.

NOW THEREFORE, BE IT RESOLVED as follows:

1. The **Public Entity** agrees to renew its membership in the **Fund** for a period of three years beginning January 1, 2010, and ending January 1, 2013 at 12:01 a.m. eastern standard time, and to be subject to the coverages, operating procedures, bylaws, and other organizational and operational documents of the **Fund** presently existing or as from time to time amended by the **Fund** and/or the Department of Banking and Insurance.
2. The **Public Entity** hereby appoints Grace Brennan, CFO as the **Public Entity's** Fund commissioner and is authorized to execute the renewal Indemnity and Trust Agreement thereby evidencing annexed hereto and made a part hereof and to deliver same to the **Fund** and **Public Entity's** renewal of its membership.

Mr. Severino made a motion to adopt the above resolution. Mr. Bischoff seconded. Vote – Ayes: Mr. Haynes, Mr. Severino, Mr. Bischoff, Mrs. Dziubek, Mr. Mazza. Motion Carried.

c. The following resolution was introduced for adoption:

**RESOLUTION 2009-
Animal Control Service Contract**

Briefly discussed were the alternate vendors to provide Animal Control Services. Mrs. Dziubek will research options.

The resolution was tabled.

NEW ORDINANCE – 1ST Reading – None

REPORTS

- a. **Engineer's Report** – none
- b. **Attorney's Report** – Mr. Jost reported the following:
 - Received \$600,000 from Green Acres and \$800,000 from Water Supply Authority.
 - Scenic Byway application was sent to NJDOT. Complimented Mr. Hintz on the job very well done. Very impressive document.
- c. **Mayor's Report**
 - Referred COAH matter regarding fees for agricultural building to the Township's COAH Counsel.

MINUTES OF REGULAR MEETING January 7, 2009

- Received email regarding a grant to the Fire Co. in the amount of \$23, 258.00 for operation and safety equipment.
- Requested that all appointed professionals submit their contracts for approval at the January 21st meeting.

d. Committee Report

Mr. Bischoff reported the following:

- Spoke with Mr. Mitzner, the newly appointed public defender, who will be paid \$600 per session by voucher. Approximately 4 sessions per year has been estimated.
- Together, with Mr. Mazza, met with Mr. Ballard, newly appointed prosecutor. Mr. Ballard agreed to take a pay cut from over \$16,000 to \$14,000.

Mr. Severino reported the following:

- Recycling is going well. Environmental Newsletter will be helpful in promoting recycling. Mr. Severino said that we are averaging a little over 4 tons per 30-yard container, costing the Township \$65 per 30-yard container.

Mr. Mazza reported the following: no report

Mr. Haynes reported the following: no report

e. Clerk's Report

- Union Twp. meeting dates for the year 2009 - briefly discussed.
- Rabies Clinic scheduled for Saturday, January 10, 2009 between 12-2 p.m.

PUBLIC COMMENTS - None

PAYMENT OF THE BILLS – None

EXECUTIVE SESSION

The following resolution was introduced for adoption:

RESOLUTION #2009 - 22**Providing for a Meeting Not Open to the Public in Accordance with the Provisions of the New Jersey Open Public Meetings Act, N.J.S.A. 10:4-12**

WHEREAS, the Township Committee of the Township of Union is subject to certain requirements of the *Open Public Meetings Act*, N.J.S.A. 10:4-6, et. seq.; and

WHEREAS, the *Open Public Meetings Act*, N.J.S.A. 10-4-12, provides that an Executive Session, not open to the public, may be held for certain specified purposes when authorized by Resolution; and

WHEREAS, it is necessary for the Township Committee of the Township of Union to discuss in a session not open to the public certain matters relating to the item or items authorized by N.J.S.A. 10:4-12b and designated below:

8. _____ *Matters Relating to the Employment Relationship*: Any matter involving the employment, appointment, termination of employment, terms and conditions of employment, evaluation of

the performance of promotion or disciplining of any specific prospective public officer or employee or current public officer or employee employed or appointed by the public body, unless all the individual employees or appointees whose rights could be adversely affected request in writing that such matter or matters be discussed at a public meeting.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Union, assembled in Executive session on January 7, 2008 at 10:24 p.m. in the Union Township Municipal Building, 140 Perryville Road, Hampton, New Jersey, for the discussion of matters relating to the specific items designated above.

It is anticipated that the deliberations conducted in closed session may be disclosed to the public upon the determination of the Township Committee that the public interest will no longer be served by such confidentiality.

Mr. Bischoff made a motion to adopt the above resolution. Mr. Severino seconded. Vote – Ayes: Mr. Haynes, Mr. Severino, Mr. Bischoff, Mrs. Dziubek, Mr. Mazza. Motion Carried.

At 10:34 pm, Mr. Haynes made a motion to come out of the Executive Session. Mr. Severino seconded. Vote – Ayes: Mr. Haynes, Mr. Severino, Mr. Bischoff, Mrs. Dziubek, Mr. Mazza. Motion Carried.

After coming out of Executive Session, Mr. Bischoff made a motion to approve Executive Session Minutes of December 17, 2008, as amended. Mr. Severino seconded. Vote – Ayes: Mr. Haynes, Mr. Severino, Mr. Bischoff, Mrs. Dziubek, Mr. Mazza. Motion Carried.

Mayor Dziubek asked about voting order. It was agreed that the Mayor's name is called last.

Atty. Jost asked that the Administrative Assistant fill out request seeking data on Soup Kitchens and Shelter for homeless located in the Township.

ADJOURNMENT – There being no further business to come before the Township Committee at this time, Mr. Bischoff made a motion to adjourn. Mr. Severino seconded the motion. Motion carried by unanimous favorable roll call vote.

Meeting adjourned at approximately 10:37 p.m.

Respectfully submitted,

Ella M. Ruta, RMC
Municipal Clerk